

IN THE DRAWINGS

The examiner has requested to have additional drawings or that some features should be canceled from the claims, as summarized below:

1- Drawings to describe some external accessories of 'the feeding and for automatic management' (mentioned in claim 55). The Applicant contents that the accessories to fuel the device is as traditionally as used to fuel any combustion engine, such types as carburetors and those of direct-on piston fuel injections, could be one for the whole fuelling or separated automatically controlled for each group by varieties of regulators based on mechanic or electric regulators. These are well known in the art. The Applicant would not try to imitate or use the already acknowledged registered prior arts or to include them in his current art which is made to cover only a discipline of machine mass which explains a version on producing a potential automotive power by implementing influences of kinetic energy inside.

The Applicant has found there were hundreds of options already registered on such accessories while this application describing a device that could be suitable for wide options of different accessories currently used even by a computer control. The applicant can provide numerous examples such as Lukas, which is for an old system used for racing cars.

2- Drawings of 'a compound unit' (mentioned in claim 34). The device as a rotary engine comprising flywheel(s) contains traditional piston(s) in cylinder(s), a sector which-at performance-travels in rotary zone and then affected by pressurized escaping gases at exhaust zone by its opening to make such rotary flywheel(s) work(s) lately like turbine(s). That is explained on the application and all details and parts associated on this device unit are declared by serial art's drawings, the Applicant requests that the Examiner reviews the clear prior art and its drawings again to see that everything is well explained there.

3- Drawings on 'a typical bridge to cover that wide gap between pistons system and the turbine system' (as mentioned in claim 37). This is relevant to the art explanation particularly on performance and analyzing the reactions (see p. 25 -28 precisely and p 41-43 in general) this is the main criteria of this device that could be concluded theoretically when using compressed fuel mixture to create pressurized gases from explosion in circular distributed chambers to project powers by pistons to rotate a flywheel then to use such gases to reflect aerodynamic influence on the flywheels to perform like a turbine, a serial of activities based on well known physical concepts implemented here, while the precise conclusion could be attested by Sophisticated Scientific Lab. That could be done only when the art has been already protected by USPTO.

The Applicant contends that no drawings could observe a theoretical connection for those concepts.

4- Drawings of accessories 'the same spraying device' (mentioned on claim 38) . The spraying device is a simple name for any fuel feeding device traditionally used for combustion engine, like a carburetor or fuel injection, the same response of article No. 1 is applied on this point.

The applicant contends that these are proper reasons on not to provide other additional drawings. Although the drawings are sufficient for this art, more drawings could be included if actually required. The claims have been revised to cover more precise arts.

REMARKS

Claims 55-73 are currently pending in this application. In this Response, Applicant has amended certain claims that Applicant believes serve a useful clarification purpose, independent of patentability. Accordingly, Applicant respectfully submits that the claim amendments do not limit the range of any permissible equivalents.

In particular, claims 1-54 have been canceled and new claims 55-73 have been introduced. As no new matter has been added by the amendments herein, Applicant respectfully requests entry of these amendments at this time.

Power of Attorney

Enclosed herewith is a power of attorney authorizing the named attorneys to act on behalf of the Applicant before the Patent Office for this case.

Request for In-Person Interview

Applicant's representatives request an in-person interview to discuss the subject matter of the application and the status of issues raised by the Examiner.

Correction of Drawings

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) for the reasons provided on page 2 of the office action. It appears that Applicant may have already addressed this issue. If not, or if further corrections are needed, Applicant will make the necessary corrections.

Objections to the Claims

The Examiner objected to the claims for the reasons provided on pages 3-5 of the Office Action. These claim objections are believed to be moot in view of the newly introduced claims.

The Claim Rejection under 35 U.S.C. § 112

The Examiner imposed several claim rejections under 35 U.S.C. § 112 for the reasons provided on pages 5-13 of the Office Action. These claim rejections are believed to be moot in view of the newly introduced claims.

The Claim Rejection under 35 U.S.C. § 101

The Examiner rejected claims 33-54 under 35 U.S.C. § 101 on the ground that the claims were inoperable and therefore lacked utility. In particular, the examiner stated on pages 13-14 her belief that the claimed invention was inoperable because motive fluid would be trapped and could not exert any useful energy release by expansion, impulse, or reaction.

Applicant respectfully disagrees with the Examiner's conclusions that the claimed invention was a "closed pocket turbine." The original claims recited elements for introducing an air-fuel mixture into a bore of an engine, igniting or combusting the mixture, and deriving useful energy release therefrom. In addition, the claims also recited an exhaust system where combusted gases could be released. It appears that the Examiner failed to appreciate that these features were present in the original claims. As a result, the claims have been rewritten to more clearly recite the many features of the invention. For these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections under § 101.

The applicant has built his main concept of introducing combustion power inside the chambers of this device to be utilized for output from the investing basis of an old simple principle still used until now which is used for fabricating the traditional gun weapon started a long time ago by using a black powder explosion for guns to throw projectiles. While a static situation in a chamber inside a gun could have such explosion to push a projectile body through the gun by a useful power of pressurized gases of Black Powder explosion, a concept widely improved to be used for well known automatic weapons industries, such clear concept applied on automotive engine to use it inside chambers of this device; substituting that body by a flexible elastic traveling piston to allow gases to expand or to relatively be partially released causing impulse, reaction acting on a face (of piston) imposing certain power on a direction of center-side of flywheel thereon (instead of throwing a body); by those pressurized gases of fuel mix explosion as a first stage then released but oppositely at (exhaust) 2nd stage .

Those closed packets turbines, as sited by the examiner, practically have fixed (rigid) faces (walls) for chambers (between vanes) and there is no way to let the chambers expand at explosion inside, while causing equal impulse, reaction on all direction to make the gases trapped or projected on themselves or a radial plane with no dynamic motion to produce as to be called inoperative.

A logical comparison could recognize a kind of chamber for closed packet turbines which are surrounded by fixed faces (or vanes) unable to expand due to explosion power inside which trapped therein without any useful energy release. Chambers of this current art device which are

disciplined for each to have one flexible face to expand downwardly (a face against the ignition) along a cylindrical bore therein, due to a mix explosion occurring inside. Such moving face, presented by a flexible elastic traveling piston for each releases a potential useful reaction from expansion of gases as a result of the explosion through a desired direction projected (as designed) on center-side of a flywheel thereon to act as a torque power on it.

The Applicant is assuring and contends that, by introducing this declaration, that it will be quite sufficient for any person in the art to realize and distinguish the difference between those inoperative devices (Closed Pocket Turbines) those having chambers unable to expand by their constant unchanged volumes, and a device that has chambers having deferential ability for volume expansion related to explosion magnitudes and resulting gases reactions inside, to utilize such energy of fuel combustion by this operative automotive device.

This declaration should address the Section 101 rejection on a basis of a presumed consideration of inoperative-ness.

The Examiner requested an affidavit from a qualified independent person and defined a qualified person as one having an advanced degree in physics or mechanical engineering from a leading university such as Stanford, the California Institute of Technology, or Massachusetts Institute of Technology. The Applicant is not sure why just these schools as many other schools have excellence physic and engineering programs. The applicant respectfully submits that MPEP Section 2164.08 (B) places the Burden on the Examiner to provide a reasonable basis to support this conclusion which Applicant does not believe this burden having been met. MPEP Section 2164 (C) states that in the Rebuttal by Application there in no predetermined amount of character of evidence that must be provided by an applicant to support an asserted utility. Rather, the character and amount of evidence needed to support an asserted utility will vary depending on what is claimed. Furthermore, the applicant does not have to provide evidence sufficient if, considered as a whole, it leads a person of ordinary skill in the are to conclude that the asserted utility is more likely than not true. Applicant believes that this evidence has been supplied and that the Applicant has exceeded their burden of proof. Therefore a reconsideration on rejection under 35 USC -101 on this device is required.

The Claim Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-3 under 35 U.S.C. § 102 based on GB 349614 to Hay, FR 2,252,764 to Yvette, and FR 2,229,274 to Paul for the reasons provided on pages 9-12 of the Office Action. Applicants respectfully traverse.

It is axiomatic that a reference must touch all of the elements recited in the claims in order for an Examiner to reject the claim under 35 U.S.C. § 102. Here, Applicant contends that the Examiner did not show every element of the claims in the references cited. As stated above, it appears that the Examiner may not have understood the claims, and therefore rejected them under both § 101 and § 102. The claims have been rewritten to more clearly describe the claimed invention. As a result, Applicant requests the Examiner reconsider and withdraw the rejections under § 102.

Comparison on art features

The Examiner asked about the basis of how significant in general are the characteristics of this device to compare it with other well known system.

The applicant had predicted and configured such inquiry would be proposed during prosecutions of this application thus he had introduced his application from the first edition based on planning long art to state activities of this device to be compared with a traditional system (Otto) to point out the differences of the features on the device.

(See pages 16-19 typical performance; page 30-35 Useful Ind. & Commercial.).

The applicant noticed that an issue raised by the examiner was to have affidavits on the operativeness of this device from unbiased, uninterested Am. Scientist.

The applicant is impressed by such a request since nobody could provide affidavits these days without getting paid, moreover such a delicate manner of new scientific art must be protected legally by a patent office before engaging it, according to an issue from the examiner on a public research.

CONCLUSION

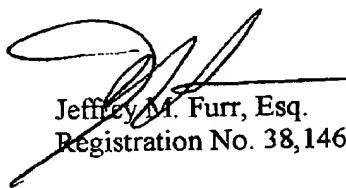
All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments still do not resolve all of the issues regarding patentability of the pending claims, Applicant invites the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Request for a 3-month extension of time is submitted herewith, including authorization to charge the appropriate fees against balance that Applicant understand is owed to Applicant by

the United States Patent and Trademark office since he initially conducted prosecution on a *pro se* basis, Applicant was neither aware of the reduced fees nor how to apply for them.

No other fee is believed due at this time. Should any fee be required or if the requested refund is denied in whole or in part.

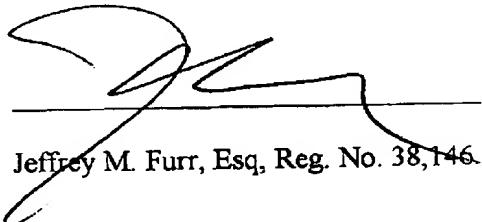
Respectfully submitted,



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I hereby certify I have transmitted this paper by fax to the Patent and Trademark Office at 703-872-9306 on April 14, 2005.

April 14, 2005.



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